

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 ENGROSSED SENATE
5 BILL NO. 946

By: Floyd of the Senate

and

Osburn (Mike) of the House

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9 An Act relating to Merit Protection; creating the
10 Task Force on Merit Protection; providing expiration
11 date; stating purpose of Task Force; establishing
12 duties of Task Force; providing for membership;
13 providing for naming of Chair; providing for quorum;
14 providing for frequency of meetings; subjecting
15 meetings to the Oklahoma Open Meeting Act;
16 prohibiting compensation; providing for travel
17 reimbursement; directing staff support; requiring
18 certain report; providing for noncodification; and
19 providing an effective date.

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23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

 A. There is hereby created until December 31, 2019, the Task
Force on Merit Protection to study and evaluate the feasibility and
efficacy of transferring the oversight of the Merit Protection
Commission to the Administrative Office of the Courts.

1 B. The Task Force shall submit a report of its findings and
2 recommendations by November 1, 2019, to the Governor, the President
3 Pro Tempore of the Senate and the Speaker of the House of
4 Representatives, which shall include, but not be limited to:

5 1. An analysis of the effects of transferring the oversight of
6 the Merit Protection Commission to the judicial branch;

7 2. Recommendations for modification of the powers and duties of
8 the Commission;

9 3. Necessary changes, if any, to the Merit System of Personnel
10 Administration and the Oklahoma Merit Protection Commission
11 Revolving Fund as may be required by a transfer of oversight;

12 4. Necessary changes, if any, to the Whistleblower Act, Section
13 840-2.5 of Title 74 of the Oklahoma Statutes, as may be required by
14 a transfer of oversight; and

15 5. Recommendations to ensure the enforcement of protections for
16 employees and citizens under the Merit System of Personnel
17 Administration.

18 C. The Task Force shall be comprised of thirteen (13) members
19 as follows:

20 1. The Administrative Director of the Courts or designee;

21 2. The Chair of the Merit Protection Commission or designee;

22 3. The Executive Director of the Merit Protection Commission or
23 designee;

1 4. The Executive Director of the Oklahoma Public Employees
2 Association or designee;

3 5. Three members appointed by the Governor, no more than two of
4 whom shall be from the same political party;

5 6. Three members of the Senate appointed by the President Pro
6 Tempore of the Senate, no more than two of whom shall be from the
7 same political party; and

8 7. Three members of the House of Representatives appointed by
9 the Speaker of the House of Representatives, no more than two of
10 whom shall be from the same political party.

11 The Chair of the Task Force shall be selected by the Governor.

12 D. A quorum of the Task Force shall be required to approve any
13 final action of the Task Force. For purposes of this section, seven
14 (7) members shall constitute a quorum.

15 E. The Task Force may meet as often as may be required in order
16 to perform the duties imposed upon it. The Chair shall call the
17 first meeting and all subsequent meetings shall be made at the call
18 of the Chair.

19 F. The meetings of the Task Force shall be subject to the
20 Oklahoma Open Meeting Act.

21 G. Members of the Task Force shall receive no compensation for
22 their service, but shall receive travel reimbursement as follows:

23 1. Legislative members of the Task Force shall be reimbursed
24 for necessary travel expenses incurred in the performance of their

1 duties in accordance with the provisions of Section 456 of Title 74
2 of the Oklahoma Statutes; and

3 2. Nonlegislative members of the Task Force shall be reimbursed
4 by their appointing authorities or respective agencies for necessary
5 travel expenses incurred in the performance of their duties in
6 accordance with the State Travel Reimbursement Act.

7 H. Staff support shall be provided by the Governor's office,
8 the Senate and the House of Representatives.

9 SECTION 2. This act shall become effective November 1, 2018.

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11 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
12 04/11/2018 - DO PASS.

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